

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

KEVIN J. LISLE,	)	3:10-CV-0064-LRH (VPC)
	)	
Plaintiff,	)	<b><u>MINUTES OF THE COURT</u></b>
	)	
vs.	)	September 1, 2011
	)	
E.K. McDANIEL, et al.,	)	
	)	
Defendants.	)	
_____	)	

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PETITIONER(S): NONE APPEARING

COUNSEL FOR RESPONDENT(S): NONE APPEARING

**MINUTE ORDER IN CHAMBERS:**

Plaintiff filed a motion for service (#41) of Board of State Prison Commissioner. Defendant filed an opposition (#47). No reply was filed. Plaintiff also filed a motion for special circumstances pursuant to emergency exception to PLRA exhaustion requirement (#42). Defendants also opposed this motion (#46), and no reply was filed. Plaintiff advised the court at the June 1, 2011 hearing (#44) that these two motions were related.

Plaintiff's motions (#s 41 & 42) are **DENIED**. The Board of Prison Commissioners and its members are not properly named defendants in this action. Plaintiff's request to supplement his complaint to add these defendants prior to exhaustion is denied. The Prison Litigation Reform Act provides that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other federal law, by a prisoner confined in jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." 42 U.S.C. § 1997e(a).

**IT IS SO ORDERED.**

LANCE S. WILSON, CLERK

By:                     /s/                      
Deputy Clerk